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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

14-MD-2543 (JMF)
14-MC-2543 (JMF)

This Document Relates to All Actions

ORDER NO. 78

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JESSE M. FURMAN, United States District Judge:

[Regarding Amendment of Order No. 25 ¶ 50's Deadlines for MDL Bellwether Trial #1]

Having met and conferred pursuant to Order No. 25 ¶ 52 (14-MD-2543, Docket No. 422), Lead Counsel for Plaintiffs and Defendants propose agreed-upon amendments to the pre-trial schedule of MDL Bellwether Trial #1, as set out in Order No. 25 ¶ 50 and in this Court's Individual Rules and Practices in Civil Cases. The Court, having considered the parties' agreed-upon submission, and for good cause shown, hereby ORDERS:

Deadlines for MDL Bellwether Trial #1, as set out in Order No. 25 ¶ 50 and this Court's Individual Rules and Practices in Civil Cases and Rules and Procedures for Trials, are amended and superseded as follows:

The first Early Trial Case ("MDL Bellwether Trial #1") will start on January 11, 2016. The parties shall submit any dispositive motions for MDL Bellwether Trial #1 by November 10, 2015. Any opposition to a dispositive motion shall be filed by December 1, 2015, and any reply shall be filed by December 7, 2015. Unless the Court orders otherwise, memoranda shall comply with the page limits and other requirements set forth in this Court's Local Rules. In addition:

- a. Proposed jury instructions must be submitted no later than November 20, 2015.

b. Proposed jury questionnaires must be submitted no later than November 20, 2015. The Court will conduct *voir dire* for both parties consistent with the Court's Individual Rules. The parties' counsel will be permitted to propose limited follow-up questions to the Court's questions.

c. Trial exhibit lists must be submitted no later than November 23, 2015. The parties by mutual agreement, however, may add or subtract additional trial exhibits at any time thereafter.

d. *Daubert* motions, not to exceed 15 double-spaced pages per brief, must be submitted no later than December 4, 2015. Responses, not to exceed 15 double-spaced pages per brief, are due ten (10) days after filing of the respective motions. Replies, not to exceed five double-spaced pages per brief, are due on the earlier of seven (7) days after responsive briefs are filed or December 21, 2015. The parties are encouraged to file briefs ahead of the respective deadlines.

e. All motions *in limine*, not to exceed 15 double-spaced pages per brief, must be submitted no later than December 4, 2015. Motions *in limine* are to be submitted progressively according to the following interim deadlines:

- i. September 21;
- ii. October 19;
- iii. November 10; and
- iv. December 4.

Responses, not to exceed 15 double-spaced pages per brief, are due ten (10) days after the filing deadlines for the respective motions. Replies, not to exceed five double-spaced pages, are due on the earlier date of either seven (7) days after responsive briefs are filed or December 21, 2015. The parties are encouraged to file motions and briefs ahead of the respective deadlines. In addition, given the sequencing of filing deadlines, no party may wait to file all of its motions *in limine* until December 4. In this regard, no more than 1/4 of the total motions *in limine* a party files may be filed on the December 4 deadline.

f. The parties' pre-trial memoranda must be submitted by December 8, 2015.

g. A joint proposed pre-trial order (consistent with the Court's Individual Rules and Practices for Civil Cases, except as stated herein) must be submitted no later than December 8, 2015.

h. Trial witness lists must be submitted no later than December 11, 2015.


i. Deposition designations must be submitted no later than December 21, 2015. Counter-designations must be submitted no later than January 4, 2015.

To the extent not explicitly modified herein, Order No. 50 and the Court's Individual Rules and Practices in Civil Cases and Rules and Procedures for Trials remain in full force and effect.

The Court may enter additional and/or modified orders regarding the pretrial schedule of MDL Bellwether Trial #1 as circumstances require. The Court will issue one or more additional Orders scheduling the pretrial deadlines and dates for the remaining Early Trial Cases.

SO ORDERED.

Dated: September 10, 2015
New York, New York



JESSE M. FURMAN
United States District Judge